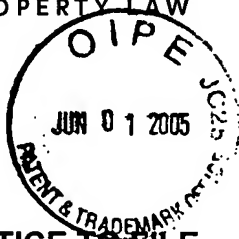


Bereskin & Parr

INTELLECTUAL PROPERTY LAW

May 27, 2005



Ian C. McMillan B.Sc. (Math & Eng.), LL.B., LL.M.
416 957 1644 imcmillan@bereskinparr.com

Our Reference: 9351-406

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
The Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia
U.S.A. 22313-1450

Dear Sir:

Re: United States Patent Application Serial No.: 11/079,733
For: TEST STATION FOR FUEL CELL POWER MODULE
Filed: March 15, 2005
Applicant: Akos Toth et al.

The applicant acknowledges receipt of the Notice to File Missing Parts for application entitled "**TEST STATION FOR FUEL CELL POWER MODULE**" which was mailed on April 13, 2005. At this time, the applicant encloses herewith the following:

1. Firm cheque in the amount of \$170.00;
2. Transmittal form;
3. Declaration as executed by the inventors;
4. PTO-1595 form and Assignment from the inventors to Hydrogenics Corporation;
5. A copy of the Notice to File Missing Parts.

We enclose our cheque in the amount of \$170.00, which comprises the following:

| | |
|------------------------|----------------|
| Declaration Filing Fee | \$130.00 |
| Assignment Recordation | <u>\$40.00</u> |
| Total Fees | \$170.00 |

If any additional fees are required, please withdraw them from our deposit account no. 02-2095 or credit any surcharge thereto.

Scotia Plaza, 40 King Street West, 40th Floor, Toronto, Ontario, Canada M5H 3Y2
Tel: 416.364.7311 Fax: 416.361.1398 www.bereskinparr.com

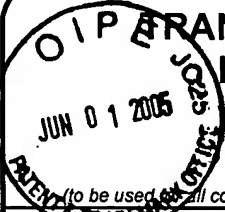
TORONTO MISSISSAUGA WATERLOO MONTREAL

In view of the foregoing, it is respectfully submitted that filing of this application is now complete.


Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ian C. McMillan', with a stylized flourish at the end.

Ian C. McMillan
/cr

| | | | |
|--|----------------------|------------------------|----------|
| TRANSMITTAL FORM  (to be used for all correspondence after initial filing) | Application Number | 11/079,733 | |
| | Filing Date | March 15, 2005 | |
| | First Named Inventor | TOTH, Akos | |
| | Art Unit | 3747 | |
| | Examiner Name | n/a | |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 9351-406 |

| ENCLOSURES (check all that apply) | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Acknowledgement postcard Executed Assignment Executed Declaration Copy of Notice to File Missing Parts |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm | Bereskin & Parr | | |
| Signature |  | | |
| Printed Name | Ian C. McMillan | | |
| Date | May 27, 2005 | Reg. No. | 43,390 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|--|------|--|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Signature | | | |
| Typed or printed name | | Date | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 11/079,733 | 03/15/2005 | Akos Toth | 9351-406 |

001059
 BERESKIN AND PARR
 40 KING STREET WEST
 BOX 401
 TORONTO, ON M5H 3Y2
 CANADA

CONFIRMATION NO. 2695

FORMALITIES LETTER



OC000000015722397

Date Mailed: 04/13/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

MPART ENT June 13, 2005 R.

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

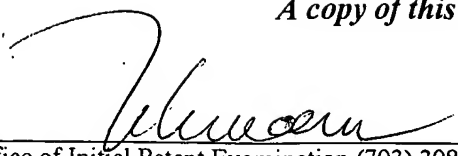
Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

06/02/2005 SZEWDIE1 00000102 11079733

01 FC:1051

130.00 OP

A copy of this notice MUST be returned with the reply.


Office of Initial Patent Examination (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY